



UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA	)	
	)	
v.	)	No. 05 CR 564-2
	)	Hon. Samuel Der-Yeghiayan
MIGUEL RAMIREZ	)	

**FINAL ORDER OF FORFEITURE**

This cause comes before the Court on motion of the United States for entry of a final order of forfeiture as to specific property pursuant to the provisions of Title 18, United States Code, Section 924(d)(1), Title 28, United States Code, Section 2461(c), and Fed. R. Crim. P. 32.2, and the Court being fully informed, hereby finds as follows:

(a) On August 10, 2005, an indictment was returned charging defendant MIGUEL RAMIREZ with knowingly possessing a firearm in and affecting interstate commerce, in furtherance of a drug trafficking crime of which he may be prosecuted in a court of the United States and in furtherance of a crime of violence for which he may be prosecuted in a court of the United States, namely, a violation of 18 U.S.C. § 2114(a)(Count Four), pursuant to the provisions of 18 U.S.C. § 924(c)(1)(A), among other violations;

(b) The indictment sought forfeiture to the United States of specific property, namely, one Beretta 92FS, serial number BER226999, 9mm semi-automatic pistol, loaded with nine rounds of ammunition, pursuant to the provisions of 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c);

(c) On January 10, 2006, pursuant to Fed. R. Crim. P. 11, defendant MIGUEL RAMIREZ entered a guilty plea admitting his involvement in certain offenses;

(d) As a result of his violation of 18 U.S.C. § 924(c)(a)(A), to which defendant MIGUEL

RAMIREZ plead guilty, the government requested that the Court order that the property, namely, one Beretta 92FS, serial number BER226999, 9mm semi-automatic pistol, loaded with nine rounds of ammunition, is subject to forfeiture to the United States pursuant to the provisions of 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), as property that was used or intended to be used to commit and to promote the commission of the defendant's violations of 18 U.S.C. § 924(c)(1)(A);

(e) On April 4, 2006, this Court entered a preliminary order of forfeiture in which all right, title, and interest of defendant MIGUEL RAMIREZ in the above-listed property was forfeited to the United States of America for disposition according to law, pursuant to the provisions of 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c). Further, the United States Marshal was directed to seize and take custody of the foregoing property. Additionally, the United States Marshals Service was ordered to publish notice of the United States' intention to forfeit the property and to dispose of it according to law;

(f) Pursuant to the provisions of 21 U.S.C. § 853(g), beginning on May 15, 2006, and continuing for three consecutive weeks ending May 29, 2006, the *Chicago Tribune* published notice of the property listed above in paragraph (b), according to law;

(g) Andrea Gambino, attorney for the defendant, has been served with a copy of the notice and the preliminary order of forfeiture. Pursuant to the provisions of 21 U.S.C. § 853(n)(1), no other parties are known to have an interest in the property and accordingly, no other parties were served with a copy of the notice of publication and preliminary order of forfeiture;


(h) To date, no petitions have been filed requesting a hearing to adjudicate any interest in the foregoing property, and the time in which to file a request for a hearing has expired.

Accordingly, it is hereby ORDERED, ADJUDGED, AND DECREED:

1. Pursuant to the provisions of 18 U.S.C. § 924(d)(1), 28 U.S.C. § 2461(c), and Fed. R. Crim. P. 32.2, all right, title, and interest of the defendant and any right, title, and interest that any third party may have in one Beretta 92FS, serial number BER226999, 9mm semi-automatic pistol, loaded with nine rounds of ammunition, is hereby forfeited to the United States of America for disposition according to law;

2. Pursuant to the provisions of 18 U.S.C. § 924(d)(1), 28 U.S.C. § 2461(c), and Fed. R. Crim. P. 32.2, following entry of this order, the United States shall have clear title to the foregoing property and shall dispose of the property according to law;

3. This Court shall retain jurisdiction in this matter to take additional action and enter further orders as necessary to implement and enforce this forfeiture order.

  
SAMUEL DER-YEGHAYAN  
United States District Judge

DATED: 9/13/2006